

RADER,**FISHMAN****& GRAUER****PLLC**

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CENTRAL FAX CENTER
JUN 12 2009**

To: MS 16, Commissioner for Patents From: Charles A. Bieneman

Fax: 571-273-8300 Pages: 4 + Coversheet

Phone: Date: June 12, 2009

Re: Request for Refund for Application Number 09/456,793 (Our Docket No. 66703-0002)

Urgent For Review Please Comment Please Reply Please Recycle

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Thank you.

● Comments:

Request for Refund I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below. Dated: June 12, 2009 Signature: <u>Heather Edwards</u> <small>(Heather Edwards)</small>		RECEIVED, CENTRAL FAX CENTER JUN 12 2009 <small>4:41 PM JUN 15 2009</small> <small>Docket No. 66703-0002 (PATENT)</small>
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Christopher L. Knauf et al

Application No.: 09/456,793

Confirmation No.: 6923

Filed: December 8, 1999

Art Unit: 2176

For: SYSTEM AND METHOD OF DYNAMICALLY GENERATING INDEX INFORMATION Examiner: M. Nguyen

MS 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

**REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

I. REFUND REQUEST

This is a request for a refund, with respect to the charge to Deposit Account 18-0013, shown on the statement dated May 2009, for the above-identified

- application.
 patent.

(check the following, if desired, and supply copy of statement)

- A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

		AMOUNT OF REFUND REQUESTED:
<input type="checkbox"/>	Filing fee	_____
<input type="checkbox"/>	Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. section 1.16(e))	_____

(Request for Refund (Improper Charge of Deposit Account)--page 1 of 3)

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JUN 12 2009

Application No. 09/456,793

(Docket No. 66703-0002)

and/or

- | | | |
|-------------------------------------|--|----------|
| <input type="checkbox"/> | Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. section 1.16(e)) | _____ |
| <input type="checkbox"/> | Extension of term (2) | |
| <input type="checkbox"/> | first month | _____ |
| <input type="checkbox"/> | second month | _____ |
| <input type="checkbox"/> | third month | _____ |
| <input type="checkbox"/> | fourth month | _____ |
| <input type="checkbox"/> | fifth month | _____ |
| <input type="checkbox"/> | Excess claims | |
| <input type="checkbox"/> | Issue fee | _____ |
| <input type="checkbox"/> | Petition fee | _____ |
| <input type="checkbox"/> | Patent maintenance fee | |
| | first maintenance fee | _____ |
| | second maintenance fee | _____ |
| | third maintenance fee | _____ |
| <input type="checkbox"/> | Patent maintenance fee surcharge | |
| <input checked="" type="checkbox"/> | Other <u>Notice of Appeal</u> | \$500.00 |

III EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Deposit Account 18-0013 was charged \$540.00 on May 18, 2009, for one Notice of Appeal (code 1401). On February 9, 2009, the examiner reopened prosecution following a Notice of Appeal filed August 2, 2007, for which a fee of \$500.00 was paid. Pursuant to 37 CFR 41.31, a Notice of Appeal was filed by appellant on April 28, 2009. The previously paid Notice of Appeal fee should be applied to the new appeal. Where the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then the appellant must pay the difference between the increased fees and the amount previously paid. Appellant paid the fee of \$500.00 with the filing of the Notice of Appeal on August 2, 2007. Thus, appellant owed fees of \$40.00 with the April 28, 2009, Notice of Appeal. We believe that a \$500.00 charge was made in error by the United States Patent and Trademark Office, and hereby request a refund of this amount. A copy of the Deposit Account Statement showing the indicated charge is attached.

(Request for Refund (Improper Charge of Deposit Account)--page 2 of 3)

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Application No. 09/456,793

(Docket No. 66703-0002)

IV. MANNER OF REFUND

Please make refund by

- crediting Account No. 18-0013.
 refunding payment.

Dated: June 12, 2009

Respectfully submitted,

By:

Charles A. Bieheman

Registration No.: 51,472

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 10291

Attorneys for Applicant

(Request for Refund (Improper Charge of Deposit Account)~page 3 of 3)

Deposit Account Statement

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JUN 12 2009



**United States
Patent and
Trademark Office**

**Deposit Account Statement**

Requested Statement Month:

May 2009

Deposit Account Number:

180013

Name:

RADER FISHMAN & GRAUER

Attention:

ACCOUNTING DEPT.

Street Address 1:

39533 WOODWARD AVENUE

Street Address 2:

SUITE 140

City:

BLOOMFIELD HILLS

State:

MI

Zip:

48304

Country:

UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
05/16 87	29287001	SDE-2171	1502	\$860.00	\$66,827.7
05/15 85	29287001	SDE-2171	1453	\$1,620.00	\$65,207.7
05/15 24723	12485300	68348-0087	8021	\$40.00	\$65,167.7
05/16 122	29327490	40338-0015 (C1934-3PO)	2502	\$430.00	\$64,737.7
05/15 25053	2723548	68828-0024	7205	\$100.00	\$64,637.7
05/15 26064	2723548	68828-0024	7208	\$200.00	\$64,437.7
05/15 25989	77737788	67019-0002	7001	\$650.00	\$63,787.7
05/15 26376	77737823	40427-0001	7001	\$325.00	\$63,462.7
05/18 8191	1574105	66919-0053	7205	\$200.00	\$63,262.7
05/18 8192	1574105	66919-0053	7201	\$800.00	\$62,462.7
05/18 4	09456793	66703-0002	1401	\$540.00	\$61,922.7
05/18 13267	77247530	65123-2308	7004	\$150.00	\$61,772.7
05/19 2024	77739404	63285-0070	7007	\$275.00	\$61,497.7
05/19 4621	77739536	66598-0059	7001	\$325.00	\$61,172.7
05/19 4647	77739538	66598-0061	7001	\$325.00	\$60,847.7
05/19 4695	77739538	66598-0062	7001	\$325.00	\$60,522.7
05/19 4740	77739541	66596-0060	7001	\$650.00	\$59,872.7
05/19 4868	2251297	65081-0889	7205	\$100.00	\$59,772.7
05/19 4867	2251297	65081-0889	7201	\$400.00	\$59,372.7
05/19 6743	12467874	68970-0008	1111	\$540.00	\$58,832.7
05/19 6744	12467874	68970-0008	1311	\$220.00	\$58,612.7
05/19 6742	12467874	66970-0006	1011	\$330.00	\$58,282.7
05/19 6898	77119605	68275-0036	7003	\$400.00	\$57,882.7
05/19 7818	3212073	50054-0999	7401	\$300.00	\$57,582.7
05/19 7815	3195495	50054-0898	7401	\$300.00	\$57,282.7
05/19 8822	11150872	40398-0016	1261	\$130.00	\$57,152.7
05/19 9142	77369601	66543-0050	7001	\$325.00	\$56,827.7
05/19 9156	77369801	66543-0050	7403	\$100.00	\$56,727.7
05/19 2	12370001	67019-0051	1021	\$270.00	\$56,997.7

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 05/18/2009

PSTANBAC SALE #00000004 Mailroom Dt: 04/28/2009 180013 09456793
01 FC :1401 540.00 DA

Adjustment date: 06/19/2009 SDIRETA1
08703/2007 INTEFSW 00000776 180013 09456793
02 FC:1401 500.00 CR